THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 18871 of 2006

Date:05-06-2007

Between:

Kum.B.Manjula and another

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PETITIONERS

AND

The Superintendent of Police, WPC, Hyderabad and three others

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RESPONDENTS

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ORDER:

The petitioners seek a writ of mandamus against the respondents 1 to 3 to provide protection against the inhuman acts of the 4th respondent.

The petitioners are the daughters of the 4th respondent. It is stated that there are differences and disputes between the petitioners and the 4th respondent. The 4th respondent-mother along with her two daughters is living in the ground floor and the father is living with other daughters in the first floor of the same building and the said building stands in the name of the mother-4th respondent. The 4th respondent taking advantage of the fact that the house stands in her name, is resorting to cruel activities to evict the petitioners and harassing them physically and mentally and therefore, the petitioners seek writ of mandamus. It is further stated that the petitioners have filed a complaint before the police, but no action has been taken.

Learned Government Pleader for Home submits that complaints and rival complaints have been filed by the petitioners and 4th respondent and criminal cases are also pending against each other and in fact, non-bailable warrants are also pending.

In view of the aforesaid circumstances, as the complaints have already been registered, if no action is taken by the police, it is always open to the petitioners to file a private complaint against the police and take appropriate action under the Code of Criminal Procedure. But, no writ of mandamus can be issued in this case.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:05.06.2007
ccm